

03500.017486



PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
YASUSHI MIZOGUCHI ET AL.) : Examiner: James Phan
Application No.: 10/642,598) : Group Art Unit: 2872
Filed: August 19, 2003) : Confirmation No.: 8164
For: OSCILLATING DEVICE) : April 14, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Applicants respectfully traverse the election of species requirement set forth in the Office Action mailed March 23, 2005.

A careful review of the specification reveals that the various species are closely related and would not require separate fields of search. Applicants nor the Patent and Trademark Office should be put to the trouble and expense entailed in multiple filings and prosecution. Moreover, it is respectfully submitted that the public at large should not be required to obtain and study separate patent documents in order to have available all of the issued patent claims covering the invention. Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect, with traverse, to prosecute the invention of Species 1, represented

by the first embodiment discussed in the specification. It is respectfully submitted that claims 1-6, 9, 11, and 13 read on the elected species. Claim 1 is generic.

Favorable consideration is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010 All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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